

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

Oriental Bank
Plaintiff

Civil No. 24-cv-01550-MAJ

Vs.

Giovanni Hernandez-Collazo
Defendant

Motion For Relief From Appointment As Pro Bono Counsel

NOW COMES the undersigned attorney who respectfully informs this Honorable Court:

1. On March 4, 2025, this Honorable Court issued an order appointing undersigned counsel as pro bono counsel for defendant Giovanni Hernandez-Collazo in the instant case. Docket No. 110.
2. Undersigned counsel currently represents Mrs. Cruz Sheila Perez Guzman in Cr. No. 24-006 (ADC), a parallel criminal proceeding related to the instant case.
3. The allegations contained in the Complaint in the present civil case are directly related to Cr. No. 24-006 (ADC), a case that is pending before this District Court and expected to go to trial this year. As a matter of fact, plea negotiations and conversations have stalled as to pending defendants in the criminal case based on this civil action.
4. After due consideration of the allegations in the Complaint, undersigned counsel understands that a conflict of interest exists and, for this reason, he will

not be able to represent Mr. Hernandez-Collazo's interests adequately, pursuant Rules 1.1, 1.7 (a) of the Model Rules of Professional Conduct (a conflict exists if "the representation of one client will be directly adverse to another client"), Canons 18 and 21 of the Canons of Professional Ethics, and Rule 83(L)(p)(1) of the Local Rules of United States District Court for the District of Puerto Rico, 28 U.S.C. § 1915, which allows counsel to request relief from a pro bono appointment due to a conflict of interest.

5. For the reasons explained above, undersigned counsel respectfully requests relief from the appointment as pro bono counsel for Mr. Hernandez-Collazo.

WHEREFORE, undersigned counsel respectfully requests that this Honorable Court grant this motion and relieve the assigned pro bono representation.

Certificate of Service

I HEREBY CERTIFY that on this same date and by electronic CM/EC filing system, copy of this Motion has been sent to the U.S. Attorney's Office and all others registered to receive notification by electronic mail.

In San Juan, Puerto Rico this 14th day of March 2025.

/s/Miguel Oppenheimer
Miguel Oppenheimer
USDC No. 220012
P.O. Box 10522
San Juan PR, 00922-0522
Tel. 787-375-6033
miguelo@oppenheimerlaw.com